

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

TISI et al.

Atty. Ref.: GRT/292-97

Appln. No. 10/541,364

Confirmation No. 1155

Filed: July 6, 2005

T.C. / Art Unit: 1637

Allowed: December 12, 2007

Examiner: M.E. Baughman

FOR: METHOD FOR DETERMINING THE AMOUNT OF TEMPLATE NUCLEIC ACID
PRESENT IN A SAMPLE

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

February 21, 2007

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Allowance mailed December 12, 2007, entry and consideration of the following remarks are respectfully requested.

On pages 2-3 of the Notice of Allowability, the Examiner stated that Nygren et al. and Nyren et al. (characterized as the closest prior art) teaches a thermostable luciferase. This statement is incorrect. They do not disclose a thermostable luciferase.

Early issuance of this patent is earnestly solicited because Applicants submit that the claims remain allowable for the reasons of record. Do not hesitate to contact the undersigned if any further information is required.

Respectfully submitted,

NIXON & VANDERHYE P.C.

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